

KIMBERLY A. SANCHEZ
Acting United States Attorney
KAREN A. ESCOBAR
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARTIN PHILLIP AVILA,

Defendant.

CASE NO. 1:25-CR-00040 KES-BAM

STIPULATION FOR CONTINUANCE AND
EXCLUSION OF TIME; ORDER

DATE: August 13, 2025
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

Plaintiff United States of America, by and through its attorney of record, Assistant United States Attorney KAREN A. ESCOBAR, and defendant MARTIN PHILLIP AVILA, both individually and by and through his counsel of record, KEVIN P. ROONEY, hereby stipulate as follows:

1. This matter is currently set for a status conference on August 13, 2025.
2. By this stipulation, the parties jointly move for a continuance to October 8, 2025, at 1:00 p.m. The parties stipulate that the delay is required to allow the defense reasonable time to conduct further investigation and to obtain his client's signature on a plea agreement, which defense counsel sent to his client via the U.S. mail. The defendant resides in Colorado and has reviewed the agreement line-by-line with his attorney. The parties agree to file the plea agreement upon execution and intend at that time to vacate the October 8 status conference hearing and set it for a change of plea.
3. The parties further agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

The parties further agree that they will vacate the status conference date and set the matter for a change of plea, in the event the defendant signs the plea agreement.

4. The parties agree that good cause exists for the extension of time, and that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases. Therefore, the parties request that the time between August 13, 2025, and October 8, 2025, be excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

IT IS SO STIPULATED.

Dated: August 1, 2025

KIMBERLY A. SANCHEZ
United States Attorney

/s/ KAREN A. ESCOBAR
KAREN A. ESCOBAR
Assistant United States Attorney

Dated: August 1, 2025

/s/ KEVIN P. ROONEY
KEVIN P. ROONEY
Counsel for Defendant
MARTIN PHILLIP AVILA

ORDER

IT IS SO ORDERED that the status conference is continued from August 13, 2025, to **October 8, 2025 at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: August 2, 2025

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE